

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Henry William LUPTON  
Serial No. : 10/567,359  
Filing Date : April 14, 2006  
For : A GUIDE WIRE FOR USE IN A SURGICAL  
PROCEDURE  
Confirmation No. : 9858  
Group Unit : 3763  
Examiner : Renee A. DANEGA  
Customer No. : 56080

---

CERTIFICATION UNDER 37 CFR 1.8(a) and 1.10

I hereby certify that, on the date shown below, this correspondence is being transmitted via the Patent Electronic Filing System (EFS) addressed to the U.S. Patent and Trademark Office.

Date: 1/4, 2010



Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO OFFICE COMMUNICATION**

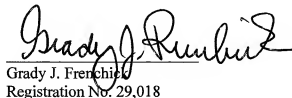
Dear Sir:

In response to Notice of Non-Compliant Amendment (37 CFR 1.121) mailed 12-18-09 indicating that the claim set in the Amendment and Reply Under 37 CFR 1.111 filed on 11-04-09 was incomplete (namely, the initial sentence "Claims 1-51 are canceled" was missing), enclosed is a complete listing of the claims for the 11-04-09 Amendment and Reply.

No fee is believed to be owed. However, if a fee is owed the Office is authorized to charge Deposit Account No. 23-2053.

Respectfully submitted,

Dated: January 4, 2010



Grady J. Frenchick  
Registration No. 29,018

**P.O. ADDRESS:**

WHYTE HIRSCHBOECK DUDEK S.C.  
33 East Main Street, Suite 300  
Madison, Wisconsin 53703  
(608) 255-4440  
Customer No. 56080